

DEFAULT ENTERED

7/24/2008

RICHARD W. WIEKING, CLERK

By *D. W. Fung*  
Deputy Clerk

1 DAVID J. COOK, ESQ. (State Bar # 060859)  
2 ROBERT J. PERKISS, ESQ (State Bar # 62386)  
3 COOK COLLECTION ATTORNEYS  
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11 File No. 52,634

12 Attorneys for Plaintiffs  
13 NEW CONTENDERS INC.: DILLON PRODUCTIONS INC.

14 UNITED STATES DISTRICT COURT  
15 NORTHERN DISTRICT OF CALIFORNIA  
16 SAN JOSE DIVISION

17 NEW CONTENDERS INC.:  
18 DILLON PRODUCTIONS INC.,

19 Plaintiff,

20 vs.

21 MIGUEL SAN DOBAL doing business as  
22 Fiesta Night Club; ROSALIA  
23 HERRERA FRIEJE doing business as El  
24 Tropical Latino Restaurant,

25 Defendants.

CASE NO. C08-00017-RMW (PVT)

APPLICATION FOR ENTRY OF DEFAULT

26 COMES NOW Plaintiff who hereby moves this court for an entry of a default. for the  
27 failure of the Defendant ROSALIA HERRERA FRIEJE doing business as El Tropical Latino  
28 Restaurant, by which to timely file a response to the Summons and Complaint after due service of  
process thereof.

DATED: July 21, 2008

COOK COLLECTION ATTORNEYS

By: /s/ David J. Cook  
DAVID J. COOK, ESQ. (SB# 060859)  
Attorneys for Plaintiffs  
NEW CONTENDERS INC.;  
DILLON PRODUCTIONS INC.,

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APPLICATION FOR ENTRY OF DEFAULT - CASE NO. C08-00017-RMW (PVT)

**PROOF OF SERVICE**

ROSALIA HERRARA FRIEJE  
doing business as El Tropical Latino Restaurant  
1312 Hume Drive  
Sanger, CA 93657

I declare:

I am employed in the County of San Francisco, California. I am over the age of eighteen (18) years and not a party to the within cause. My business address is 165 Fell Street, San Francisco, CA 94102. On the date set forth below, I served the attached:

APPLICATION FOR ENTRY OF DEFAULT

MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF APPLICATION  
FOR ENTRY OF DEFAULT

ENTRY OF DEFAULT

on the above-named person(s) by:

XXX (BY MAIL) Placing a true copy thereof, enclosed in a sealed envelope with postage thereon fully prepaid, in the United States mail at San Francisco, California, addressed to the person(s) served above.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on July 21, 2008 at San Francisco, California.

/s/ Karene Jen  
KARENE JEN